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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,672	11/15/2001	Toshiaki Koue	111114	7494
25944 7590 07/31/2007 OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER JUNG, DAVID YIUK	
			ART UNIT 2134	PAPER NUMBER
			MAIL DATE 07/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/987,672

Applicant(s)

KOUÉ ET AL.

Examiner

David Y. Jung

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2007.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

CLAIMS PRESENTED

Claims 1-17 are presented.

Response to Arguments

Applicant's arguments filed have been fully considered but they are not persuasive.

Applicant has argued that encryption of password is not taught by the Cisco reference. How can this be? The document <http://community.roxen.com/developers/ids/rfc/rfc2305.html> is the document from the standards group itself. Encryption is inherent. Password encryption is inherent. Otherwise, the system in the document cannot work. Without the password being encrypted, the password would be intercepted. Indeed, the usual case was not merely use password encryption, but actually key encryption.

Password encryption is inherent especially if key encryption is inherent. See, for example, http://www.microsoft.com/technet/archive/win95/rk27_fax.mspx?mfr=true. Password encryption is particularly noted as entirely assumed (inherent) unless there is more need for security.

As for dating of Windows 1995 (the system noted in http://www.microsoft.com/technet/archive/win95/rk27_fax.mspx?mfr=true), note <http://www.microsoft.com/windows/lifecycle/default.mspx>. This document clearly notes that direct and retail license availability ended in December 31, 2000. This means no

Art Unit: 2134

new features were added after December 31, 2000. Windows 1995 had system builder license availability under December 31, 2001. This merely means that Windows 1995 was to be supported as functioning until December 31, 2001.

Applicant may also mean something narrower by the term "control command." Perhaps Applicant wishes to mean something different that a command to receive/decrypt the fax. If so, then the Office notes that the command to receive/decrypt as noted in the references is indeed a command to control – hence a "control command." If Applicant would desire to mean something narrower, then Applicant is requested to provide further amendments to the claims.

CLAIM REJECTIONS

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 5, 6, 9, 10, 11, 14, 15, 16, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Cisco

(<http://community.roxen.com/developers/idoocs/rfc/rfc2305.html>).

Art Unit: 2134

1. A control method of an Internet facsimile being connected to a telephone network and Internet for transferring electronic mail received via the Internet by facsimile

(Cisco section 1. SCOPE, "message based facsimile communication over the Internet, ... Internet mail ...")

the control method comprising the steps of: receiving electronic mail containing an password encrypted and related to a control command for indicating a facsimile communication function; decrypting the password encrypted; and transferring an electronic mail document by facsimile following the control command using the password decrypted.

(Cisco section 5.3.2 Object security, "Message encryption, such as PGP-MIME and S/MIME).

4. The control method as claimed in claim 1 wherein the encryption of the password is performed in an encryption system of S/MIME (Secure/Multipurpose Internet Mail Extension) or PGP/MIME (Pretty Good Privacy/Multipurpose Internet Mail Extension).

(Cisco section 5.3.2 Object security, "Message encryption, such as PGP-MIME and S/MIME).

5. The control method as claimed in claim 1 wherein the control command indicates a confidential communication function, a bulletin board communication

Art Unit: 2134

function, or a relay broadcast communication function defined in ITU-T
(International Telecommunications Union-Telecommunications Standards Section)

Recommendation T.30.

(Cisco section 1.1 Services, "G3Fax", i.e., generation 3 facsimile which is defined
by T.30)

Claims 6-10 and 11-15 are analogs of claims 1-5.

Features special to claims 6-10 is internet facsimile (taught at Cisco section 1.
SCOPE, "message based facsimile communication over the Internet, ... Internet mail
...") and claims 11-15 is computer instruction terminal (taught at Cisco section
SUMMARY, "PCs ... communication ...").

16. An Internet facsimile being connected to both a telephone network and
Internet and having a function of transferring an electronic mail document received via
the Internet by facsimile,

(Cisco section 1. SCOPE, "message based facsimile communication over the
Internet, ... Internet mail ...")

the Internet facsimile comprising: a determination section, upon reception of an
electronic mail document to be transferred by facsimile, for determining whether or
not the transmission source is identified correctly; and a communication control
section for transferring the received electronic mail by facsimile only if the
determination section determines that the transmission source is identified correctly

Art Unit: 2134

(Cisco section 5.2.1. Spoofed sender, "authentication ..." also 5.2.3 GSTN authorization information and also 5.2.4 Sender accountability).

17. The Internet facsimile as claimed in claim 16 wherein the determination section uses a function of S/MIME (Secure/Multipurpose Internet Mail Extension) or PGP/MIME (Pretty Good Privacy/ Multipurpose Internet Mail Extension) to determine whether or not the transmission source can be identified correctly

(Cisco section 5.3.2 Object security, "Message encryption, such as PGP-MIME and S/MIME).

Claims 1, 6, 11, 16 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Windows 95

http://www.microsoft.com/technet/archive/win95/rk27_fax.msp?mfr=true.

See the explanation regarding

http://www.microsoft.com/technet/archive/win95/rk27_fax.msp?mfr=true in the

Response to Arguments section.

In Windows 95, note among others, the section on password encryption for faxes.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2134

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 7, 8, 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cisco

(<http://community.roxen.com/developers/ids/rfc/rfc2305.html>).

Regarding claim 2, 3, CISCO teaches as noted in the rejection under 35 USC 102.

Regarding claim 2 (The control method as claimed in claim 1 wherein the password is encrypted and set in a main body of the electronic mail), Cisco does not teach this explicit feature.

Nevertheless, it was well known in the art to set encrypted message in the main body for the motivation of easier communication with a smaller destination field (so as to not congest the destination field which would be read frequently for addressing).

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify CISCO for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Art Unit: 2134

Regarding claim 2 (The control method as claimed in claim 1 wherein the password is encrypted and set in a destination field of received electronic mail), Cisco does not teach this explicit feature.

Nevertheless, it was well known in the art to set encrypted message in the destination field for the motivation of greater security (so that even the delivery destination itself would not be easily known).

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify CISCO for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claims 7, 8, 12, 13, one may note as follows.

Claims 6-10 and 11-15 are analogs of claims 1-5.

Features special to claims 6-10 is internet facsimile (taught at Cisco section 1. SCOPE, "message based facsimile communication over the Internet, ... Internet mail ...") and claims 11-15 is computer instruction terminal (taught at Cisco section SUMMARY, "PCs ... communication ...").

Thus, claims 7, 8, 12, 13 are unpatentable for the reasons noted in the rejections of claims 2, 3.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Art Unit: 2134

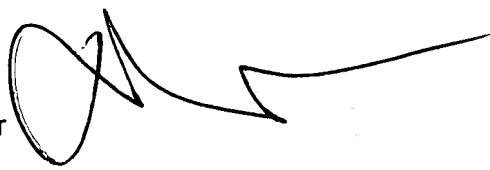
Or:

(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Kambiz Zand whose telephone number is (272) 272-3811.

David Jung

Patent Examiner

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal stroke extending to the right.

7/27/07